

Minutes

Bobbie Mershon
Leah Turner

Dr. Bender moved to approve the minutes from the March 17th, 2008 council meeting and the March 24th, 2008 Committee of Whole meeting. Ms. Mershon seconded the motion.

VOTE: **AYES** Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,
Ms. Rush-Ekelberry, Ms. Turner
NAYS
Motion carried.

A letter from Patrick Eltzroth of Insight Communications - Notice of Commencement of Service by Video Service Provider was received. This is a notice that the Village's franchise agreement with them is being terminated.

A letter from Scott Neesley of WOW, LLC – Notification of State Video Service Authorization and Franchise Termination was also received.

A letter from William R. Arnett, Fairfield County Economic Development Director detailing TIRC recommendation for Princeton Delivery Systems, Inc. was received. It is requesting acceptance of recommendation by Village Council.

Five-minute limit per person

FIRST Reading:

O-04-08A AN ORDINANCE TO AWARD THE CONTRACT FOR THE 2008 STREET RESURFACING PROJECT TO STRAWSER PAVING COMPANY INC., IN AN AMOUNT OF \$341,208.10 AND DECLARING AN EMERGENCY.

VOTE: **AYES** Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,
Ms. Rush-Ekelberry, Ms. Turner
NAYS
Motion carried.

VOTE: **AYES** Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,
 Ms. Rush-Ekelberry, Ms. Turner
NAYS
Motion carried.

O-04-08B AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE CITY OF PICKERINGTON FOR AN ADDENDUM TO THE SEWERAGE SERVICES AGREEMENT BETWEEN THE VILLAGE OF CANAL WINCHESTER AND THE CITY OF PICKERINGTON

Mr. Peoples clarified that this is in response to the fact that we have two subdivisions, Fox Glen and Sycamore Creek, in which people have never paid a water and sewer bill and the Village does not have the ability to shut off their water to enforce payment. This will allow the Village of Canal Winchester to bill Pickerington directly and Pickerington to take over the billing of their own residents.

VOTE: **AYES** Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,
Ms. Rush-Ekelberry, Ms. Turner
NAYS
Motion carried.

Dr. Bender moved to adopt Ordinance 22-08. Ms. Turner seconded the motion.

VOTE: **AYES** Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,
Ms. Rush-Ekelberry, Ms. Turner
NAYS
Motion carried.

Sponsor: Ms. Mershon

O-04-08C AN ORDINANCE TO AMEND SECTION 157.12 OF THE CODIFIED ORDINANCES WITH REGARDS TO THE APPEAL OF A LANDMARKS COMMISSION DECISION

Ms. Mershon read the ordinance. First reading only.

Sponsor: Mrs. Rush-Ekelberry

O-04-08D AN ORDINANCE AMENDING ORDINANCE 99-05 TO CHANGE THE JOB DESCRIPTION OF THE "BUILDING INSPECTOR" TO "BUILDING OFFICIAL"

Mrs. Rush-Ekelberry read the ordinance. First reading only.

Sponsor: Ms. Mershon

O-04-08E AN ORDINANCE TO ESTABLISH THE VILLAGE EMPLOYEE SALARY RANGES FOR 2008 FOR THE SWIMMING POOL

Ms. Mershon read the ordinance. Ms. Mershon clarified that the raise in the minimum wage necessitates a change in the wage schedule for the pool. Ms. Osborn also called other areas to find out their salary ranges for their pools and this will establish that the Village is more in line with the surrounding communities. First reading only.

THIRD Reading

Sponsor: Mr. Jarvis

O-03-08C AN ORDINANCE TO REPEAL EXISTING CHAPTER 713 OF THE VILLAGE CODE, TO ADOPT NEW CHAPTER 713 OF THE VILLAGE CODE REGARDING PEDDLERS AND SOLICITORS, TO ESTABLISH PEDDLERS AND SOLICITORS REGISTRATION PROCESS, AND DECLARING AN EMERGENCY.

Mr. Jarvis read the ordinance and moved to adopt Ordinance 23-08. Ms. Mershon seconded the motion.

Ms. Osborn reminded Council that there was a request to amend the Ordinance to further add time restrictions. It now reads, "No persons shall peddle, solicit or conduct market research door-to-door at dwelling houses or businesses at random, upon sidewalks or streets, at public places or private meeting places, or in any other manner or place in the municipality between sunset or 7:30pm, whichever is earlier, and 9am; or on any Sunday or holiday" The holidays were amended to add Halloween, and the date declared Trick-or-Treat or Beggar's Night, if different than Halloween.

VOTE: **AYES** Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,
Ms. Rush-Ekelberry, Ms. Turner
NAYS
Motion carried.

RESOLUTIONS

FIRST Reading

Sponsor: Mr. Jarvis
R-04-08A A RESOLUTION APPROVING THE RECOMMENDATIONS OF THE TAX INCENTIVE
REVIEW COUNCIL FOR THE FAIRFIELD COUNTY ENTERPRISE ZONE AREAS
WITHIN THE VILLAGE OF CANAL WINCHESTER

Mr. Jarvis read the resolution. First reading only.

Sponsor: Ms. Mershon
R-04-08B A RESOLUTION TO EXPRESS THE OPPOSITION OF THE VILLAGE OF CANAL WINCHESTER TO LEGISLATION PENDING IN THE OHIO GENERAL ASSEMBLY TO ELIMINATE MAYORS' COURTS IN OHIO AND TO URGE THE OHIO GENERAL ASSEMBLY TO DEFEAT SAID LEGISLATION

Ms. Mershon read the Resolution and moved to suspend the rules. Dr. Bender seconded the motion.

Ms. Osborn clarified that HB 154 is set for hearing before the Legislature this week, with testimony again next week, thus the need for suspension of the rules. Ms. Osborn believes that HB 154 will be very expensive for every jurisdiction in Ohio and yet does not fix the problem that's out there. It would be preferable to just fix the problems where they occur. The issue is not with the way that the courts operate, the problem is with Mayor's that still preside over the Court and are using the Court and the police department as a revenue stream for their jurisdiction. That can be addressed by doing things other than what is currently being proposed in HB 154.

Ms. Osborn stated her main issues with House Bill 154. First, Mayor's Courts would become a court of record, meaning that we would have to have a court reporter and operate as the Court of Common Pleas operates. Also, at this time, if someone doesn't like the outcome of Mayor's Court, they have the option of starting over fresh in Municipal Court, as if the Mayor's Court never happened. With the proposed legislation, any appeals of Mayor's Court decisions would have to go to Appeals Court.

At this time, Mayor's Court is a rather informal court. Defendants can speak to the Prosecutor and discuss their case. It is a very local operation. This House Bill 154 will make it not be a local operation.

NOTE: **AYES** Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,
Ms. Rush-Ekelberry, Ms. Turner
NAYS
Motion carried.

Ms. Mershon moved adopt Resolution 05-08. Dr. Bender seconded the motion.

VOTE: **AYES** Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,
Ms. Rush-Ekelberry, Ms. Turner
NAYS
Motion carried.

Sponsor: Mr. Jarvis
R-04-08C A RESOLUTION TO CONFIRM MAYORAL APPOINTMENTS TO THE FAIRFIELD TAX INCENTIVE REVIEW COUNCIL AND THE FRANKLIN TAX INCENTIVE REVIEW COUNCIL OF THE VILLAGE OF CANAL WINCHESTER

Mr. Jarvis read the resolution. The recommended additions to the Fairfield County TIRC are John Sayer and Dixie Fahner. Recommendations to the Franklin County TIRC are Steve Donahue and Ken Morely. First reading only.

Mayor's Report:

Mr. Jarvis moved to accept the Mayor's Court Report for February 2008. Ms. Mershon seconded the motion.

VOTE: **AYES** Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini,
Ms. Rush-Ekelberry, Ms. Turner
NAYS
Motion carried.

Mayor Ebert stated the Community Watch Program is still in need of volunteers. 6-7 people have responded but 15 are needed to start the program in May.

Privatization of the Concession stand at the Pool was looked into. There was an interested third party, but after review of the scheduling and menu, they declined. Mayor Ebert will look into this again for next year.

2008 Managers Retreat was held on April 2nd. Mr. Deeds was in attendance. 2007 Department projects were discussed, as well as plans and goals for 2008 and beyond. Future staffing needs, office space needs, records retention requirements and inventories of all Village property were also discussed.

Public Works Director:

Columbus Street reconstruction has begun and the street will be closed for 100 days. One of the requirements of the project is that it must be open to pedestrian and street traffic by August 18th to prepare for the Labor Day festival.

This week is a kick-off meeting for the Safe Routes to School. Canal Winchester has been chosen by the National Safe Routes to School Program to be a pilot study for Ohio.

The sludge press pilot study is complete and final decision was made that the sludge press is the process we want to implement.

Columbus passed their legislation needed to enter into the Gender Road study with us.

Council is invited to the April 21st , 2008 Service Committee meeting to see a presentation on the GIS at approximately 6:30pm, before unveiling it to the public.

Dr. Bender asked if there were any reports of water in basements during the recent big rains. Mr. Peoples stated that there was one incident on Sarwil Dr S that was reported and looked into. They believe they have found the cause and it has been corrected.

Development Director:

Mr. Strayer stated that the CRA Housing tour was on March 31st and went well.

TIRC meetings will be scheduled soon.

Thoroughfare Plan RFP is on the street. This Friday is the deadline for proposals. Once those are in they will be reviewed and a consultant will be selected.

The Future Land Use Committee has been assembled by Mayor Ebert and will be meeting on April 15th.

We are still waiting on the State to work out their process on the Revolving Loan Fund with regards to the Marathon station. A new director has been hired, so with that person in place, hopefully things will begin to move forward.

Ms. Mershon asked who was on the Future Land Use Committee. Mr. Strayer did not have all the list at this time, but remembered Mr. Deeds, Steve Donahue, Bob Garvin, John Garrett, Allan Neimayer, Matt Peoples, Mayor Ebert and himself, as well as, one open position that needed filled.

Community Affairs Director:

Ms. Hoover reported that Music in the Park has been moved to the third Friday of the month from 6-9pm instead of the first Friday, as there were scheduling problems. Dates are May 16th, June 20th, July 18th and August 15th. This year there will be a theme surrounding the band.

Relay for Life fundraiser will be at Shades in the Pine Room during the week in May. Ms. Hoover had asked Council in the past for help with this fundraiser, and would like to set a date so she can move forward. Possible dates are May 8th, 15th and 22nd. Council determined that May 15th would be the most convenient for everyone.

Village Solicitor:

Mr. Hollins thanked Council for its support in the opposition of House Bill 154.

Mr. Hollins requested an Executive session.

Fairfield County Sheriff:

In Sgt. Kern's absence, Deputy Dixon read the written report.

Finance Director:

Ms. Osborn wanted Council to be aware that the Water Treatment Plant, well fields and the raw water line was originally budgeted at \$5,593,000.00 and actually came in at \$5,351,000.00... \$242,000 under budget. Also, the Diley Road project was originally estimated at \$5,725,000, but came in at \$5,426,545.78...\$298,000 under budget. Ms. Osborn stated that Council should be proud of Staff and Contractors for that.

Council Reports:

Old Town Committee	Monday, April 14, 2008 at 5:45 PM
Finance Committee	Monday, May 5, 2008 at 5:45 PM
Service Committee	Monday, April 21, 2008 at 5:45 PM
Safety Committee	Monday, April 14, 2008 at 5:00 PM
Committee of the Whole	Monday, June 30, 2008 at 6:30 PM

New Business:

Ms. Mershon noted that Bed Tax brings in \$15,000 a year and the total requests are for more than that. She believes we should cut some of the money granted to be more in line with what is taken in throughout the year.

Mrs. Rush-Ekelberry believes that each request should be cut, instead of allowing some of the organizations to have their full request amount and others be possibly cut altogether.

Ms. Osborn suggested that there could be a maximum and a minimum amount set for the grants. She alternatively suggested that there be a limited number of grants available to different monetary amounts; for example: 3- \$1000 grants, 3- \$2000 grants and 2 -\$3000 grants.

Individual request amounts and different processes of slimming them down were discussed.

Dr. Bender made a motion to Award Bed Tax Grants for 2008 to Canal Winchester After Prom for \$1000, Canal Winchester Educational Fund for \$1500 and Adventures for Wish Kids for \$750. Mr. Jarvis seconded the motion.

These three will be brought forward due to their time-sensitive nature. The rest of the applications will be discussed at further length at the next meeting pending more information being brought forward from the Canal Winchester Historical Society and Canal Winchester Human Resources about their requests.

VOTES:

AYES Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini, Ms. Turner

NAYS

Mrs. Rush-Ekelberry abstained.
Motion carried.

Mr. Paini added that the Community Garden was plowed today and is available for use.

Mr. Jarvis noted that pedestrian crosswalks are not being observed properly by drivers. Mr. Jarvis stated that this may be corrected by signage or enforcement.

Mr. Deeds noted that the flooding around the covered bridge needs to be addressed, maybe by the Service Committee, to avoid high waters potentially damaging or losing the bridge at a future time.

Old Business: None at this time

Adjourn to Executive Session:

Ms. Mershon moved to adjourn to Executive session to discuss real estate investment and possible sale. Mr. Deeds seconded the motion.

VOTES: **AYES** Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini, Ms. Rush-Ekelberry, Ms. Turner

NAYS

Motion carried at 8:11pm.

Return from Executive Session at 8:30pm. No further business.


Adjournment:


Mr. Paini moved for adjournment of the meeting and Dr. Bender seconded the motion.

VOTES: **AYES** Dr. Bender, Mr. Deeds, Mr. Jarvis, Ms. Mershon, Mr. Paini, Ms. Rush-Ekelberry, Ms. Turner

NAYS

Time out: 8:31pm


Clerk of Council


President of Council

Date June 21, 2008

Michael E. 2/27
Mayor

NOTE: The minutes set forth herein are an extract of the Council meetings. Anyone desiring a transcript of the complete minutes of the Council meeting may obtain the same at a cost of \$10.00 per page.